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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,158	02/11/2004	Shoichi Nakano	UNI76.003AUS	3086

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EXAMINER

TRUONG, BAO Q

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/776,158

Applicant(s)

NAKANO, SHOICHI

Examiner

Bao Q. Truong

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-10 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/24/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities: there are missing or uncompleted words/letters through all the specification, such as, on page 1 last paragraph; on page 2 last paragraph, on page 3 first paragraph and last paragraph...

Appropriate correction is required.

Claim Objections

3. Claims 1-10 are objected to because of the following informalities: "LED" should be changed to what it stands for. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Konyaya [US 6,960,759] in view of Eriksson [WO 92/22863].

Regarding claim 1, Konagaya discloses a temperature adjusting device for an LED light source having an LED light source [104], a temperature sensor [108], a cooling fan [106], a driving circuit [142] and a control unit [70], which control a voltage (on/off) to the fan [106] based on an ambient temperature detected by the sensor [108] (abstract, figures 1, 3, 4, 6 and 7, column 8 lines 1-35, column 11 lines 55-67, column 12 lines 1-14). Konagaya does not clearly disclose the control unit being allowed to gradually raise/lower the applied voltage.

Eriksson discloses a control unit [1] being allowed to gradually raise/lower a voltage to a fan [2] (abstract, whole document, figures 1-4).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the control unit of Konagaya with the controlling gradually raise/lower voltage feature as taught by Eriksson to operate the fan for purpose of controlling the fan's speed thereby controlling a cooling flow air.

Regarding claim 2, Konagaya discloses the control unit [70] turning the applied voltage on/off based on a preset temperature (figure 7, abstract).

Regarding claim 3, Konagaya discloses the LED light source being used for a scanner for reading frame images of a photograph film (column 6 lines 22-40).

Regarding claim 5, Konagaya discloses the LED light source being used for exposing and printing an image onto a photosensitive material [a photographic print] (column 1 lines 15-30).

Regarding claim 6, Eriksson discloses the control unit [1] gradually increases/decreases the applied voltage linearly (figures 1-2).

Regarding claim 7, Eriksson discloses the control unit [1] gradually increases/decreases the applied voltage curvedly (figures 1-2).

Regarding claim 8, Eriksson discloses the time period in which the applied voltage is gradually increases/decreases is set to one to two second (figures 1-2).

Regarding claim 10, Konagaya discloses a white light source, or combined of red, blue and green to emit white color (column 1 lines 31-40, column 8 lines 5-12).

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Konagaya [US 6,960,759] and Eriksson [WO 92/22863] in view of JP Patent Publication [P2002-365735A].

Regarding claim 9, Konagaya discloses a plurality of red, blue, green LEDs [104] and a lens unit [9] (column 8 lines 5-12). Konagaya does not disclose the red LED guiding portion, the green LED guiding portion, the blue LED guiding portion, and a joining portion that allows the respective guiding portions to join to one another.

[P2002-365735A] discloses a photographic film reader having a plurality of LEDs [3r, 3g, 3b] with the red LED guiding portion, the green LED guiding portion, the blue

LED guiding portion, and a joining portion [32] that allows the respective guiding portions to join to one another (figure 3).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the lens unit of Konagaya with the light guiding system as taught by JP Patent Publication [P2002-365735A] to transmit light for purpose of providing an advantageous way of controlling light direction and uniform intensity to a design area.

Allowable Subject Matter

7. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter:

Claim 4 recites that the device further comprises a line-shaped heater being installed in the LED light source and formed in a line shape along the width direction of a photograph film to be read, so as to be aligned adjacent to the LED light source; and the control unit turns the heater off in synchronism with the turning-on of the LED light source, and on/off controls the cooling fan independent of the on/off operations of the heater.

The limitations discussed above are neither disclosed nor suggested by the prior art of record.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (571) 272-2383. The examiner can normally be reached on Monday-Friday (8:00 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Bao Q. Truong
Examiner
Art Unit 2875



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800